

**LITCHFIELD PLANNING AND ZONING COMMISSION
MINUTES**

**Monday December 4, 2023, 7:00 p.m.
Town Hall Annex, 80 Doyle Rd. Bantam
*In Person Meeting***

1. Call to Order – Appointment of Alternates

Chairman C. Bramley called the meeting to order at 7:00 pm.

Members present – C. Bramley, C. Bunnell, J. Cox, P. Dauten, M. Eucalitto, B. Gibney, P. Losee, R. Lupo, S. Simonin, Land Use Administrator S. Musselman.

Members absent - G. Fuessenich.

Appointment of Alternates – None.

- a. Commissioner's Requests
None.

Planning

2. Restaurant Regulation

- a. Workshop

G. Chalder of Planimetrics was present for the restaurant workshop and stated the framework of the drive to, drive up and drive thru have all changed. His regulations for Darien were discussed as modifications are needed to provide more specificity and consistency to account for the changes to the town's restaurant businesses. Discussed was classifying restaurants into categories by primary type of service, possibly by zoning districts, and modifying definitions. Attorney P. Grimes and Planner M. Connor were also invited to attend the workshop. Commissioners received M. Connor's 11/26/23 letter with suggested adaptations to the regulations, which includes the addition of Quick Service restaurants.

- b. Commission discussion

The commission discussed the differences between the C-202 and HTC restaurants with concerns to parking, neighboring business parking uses, traffic congestion, car stacking, possible need for additional traffic lights and frequent entering and exiting from online ordering/Uber Eats as sit down dining has become ancillary instead of primary for some restaurants. G. Chadler will organize tonight's discussion and return soon with possible draft regulations.

3. Public Act 23-142 Regulation

Effective 10/01/23, this regulation was introduced to address the issue of not enough available daycare facilities. G. Chalder read Section 4. (b)(4) "a municipality may not subject the operation of a licensed group child care home located in a residence to any conditions...if the group child care home complies with all codes and ordinances applicable to single and multifamily dwellings." Daycares are now identified as family child care homes (1-6 children), group child care homes (7-12 children) or childcare centers (over 13 children). Childcare family and group homes, with a state of CT license, must be approved with just a zoning permit. Only a

childcare center may be required to submit a site plan or special exception prior to the issuing of a zoning permit. C. Bramley read the 11/28/23 letter from Attorney S. Byrne noting the amendments needed to bring the zoning regulations into compliance with this new state law.

4. Committee Update on Short Term Rentals

G. Chalder continued the PZC conversation by referring to Attorney S. Byrne's Spring 2023 quarterly newsletter discussing short term rentals. Private corporations are buying up single family houses and are essentially operating hotels by bypassing standard regulations for operating a business. Other towns have prohibited short term rentals under 30 days by creating ordinances, which can be retroactive. Towns should be allowed to generate revenue from this commercial business.

5. Old Business

a. Update on Hunter's Chase

The revised stormwater management plan was reviewed and approved by the Town Engineer, R. Alexe. Silt fence is to be installed. At the 10/16/23 PZC meeting, Hunter's Chase representatives stated swale installation would "begin no later than 10/30/23 and be completed within 45 days". Work on swale has not started yet.

b. Update on site plan for 405 Bantam Road – Harpin. Received 10/16/23.

Commission needs to act on application at the 12/18/23 meeting as it will be 63 days since it was received.

Enforcement – Violation letters were sent to 82 East Litchfield Road South, 31 McBride Road and 718 Northfield Road.

6. New Business

S. Musselman and C. Bramley attended a Zoom meeting with Attorney S. Byrne and the Borough of Litchfield Warden, G. Carr, regarding communications between the Borough and the PZC. C. Bramley will write a follow up letter to the Borough.

7. Election of Officers

C. Bramley read the Bylaws: Article VI Election of Officers. All regular members were present for an election. P. Dauten motioned to nominate C. Bramley as chairman and P. Losee seconded. J. Cox moved to elect C. Bramley, B. Gibney seconded, there was no discussion and vote to reelect Chairman C. Bramley was unanimous. C. Bramley moved to reelect P. Losee as vice chairman, P. Dauten seconded, there was no discussion and approval vote was unanimous.

8. Annual Meeting Bylaw Review

The commission briefly discussed the Bylaws, Article XI Conducting the Public Hearing and conflicts of interest.

9. Approval of Minutes November 20, 2023

S. Simonin moved to approve the minutes, J. Cox seconded, there was no discussion and approval vote was unanimous. C. Bramley abstained as she did not attend the 11/20 meeting.

10. Correspondence

C. Bramley submitted an email informing the town clerk of the PZC's appointment of B. Seamans, a landscape architect and the Project Manager for Public Works, to the DRAC. G. Fuessenich emailed regrets stating she would not be at tonight's meeting.

11. Adjournment

J. Cox moved to adjourn at 8:35 pm, S. Simonin seconded, there was no discussion and approval vote was unanimous.

Carol Bramley, Chairman

Date